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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

ELECTRONIC FRONTIER FOUNDATION,)	Nos. 08-2997, 08-1023 JSW)	
Plaintiff,))	STIPULATION TO CONTINUE
))	CASE MANAGEMENT
v.))	CONFERENCE AND ORDER THEREON
))	
OFFICE OF THE DIRECTOR OF NATIONAL))	
INTELLIGENCE and UNITED STATES))	
DEPARTMENT OF JUSTICE))	
Defendants,))	

THE PARTIES HEREBY STIPULATE, pursuant to Local Rules 6-1(b), 6-2, and 7-12, that the Case Management Conference currently set for July 2, 2010, shall be continued to July 23, 2010. In support of this stipulation, the parties state the following:

1. On May 3, 2010, the United States Court of Appeals for the Ninth Circuit issued the mandate in this case, giving effect to the Ninth Circuit's judgment entered on

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February 9, 2010. In that opinion, the Ninth Circuit vacated this Court's denial of summary judgment for the Government and grant of summary judgment for plaintiff EFF as to FOIA Exemptions 3 and 5, and remanded for consideration of these exemptions consistent with the court's opinion.

2. On May 5, 2004, the Court set a Case Management Conference for July 2, 2010, at 1:30 p.m.
3. The parties have been actively discussing this case. Defendants agreed to provide revised Vaughn indexes to EFF showing the information that the Government is currently withholding, and EFF agreed to inform the Government which of the current withholdings EFF is challenging. Defendants produced the revised Vaughn indexes, along with some discretionary releases, to EFF, and EFF is currently conducting its review. The parties believe that this process will be beneficial in proposing a briefing schedule to the Court and in having a productive Case Management Conference, and therefore stipulate to continue the Case Management Conference for three weeks to allow the completion of this process.
4. Accordingly, to promote judicial efficiency and facilitate resolution of this litigation, the parties stipulate to continue the Case Management Conference from July 2, 2010 to July 23, 2010, at 1:30 p.m. or a time convenient for the Court.

Dated: June 23, 2010

Respectfully submitted,

TONY WEST
Assistant Attorney General

JOHN TYLER
Assistant Director, Federal Programs Branch

/s/ Marcia Berman
MARCIA BERMAN (PA Bar No. 66168)
Senior Counsel, U.S. Department of Justice

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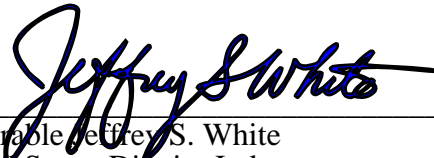
GENERAL ORDER NO. 45(X) CERTIFICATION

I attest that I have obtained Marcia Hofmann's concurrence in the filing of this document.

/s/ Marcia Berman
MARCIA BERMAN

PURSUANT TO STIPULATION, IT IS ORDERED that the Case Management Conference is continued from July 2, 2010 to July 23, 2010, at 1:30 p.m. ~~or a time convenient for the Court.~~ The joint case management conference statement shall be due on or before July 16, 2010.

DATED: June 23, 2010



Honorable Jeffrey S. White
United States District Judge